(3) (1)

C.Floor

IN THE HIGH COURT OF JUDICATURE OF CHHATTISGARH

AT BILASPUR

Writ Petition No. 3676 2003

PETITIONER : Smt. Kiran Garg
age about 68 years
W/o Late Shri Santosh Kumar Garg
R/o Golchha Park, Purena,
Raipur Tah. & Distt. Raipur (C.G.)

VERSUS

RESPONDENTS : 1. Punjab National Bank
A body corporate, constited under banking companies (Acquisition and Transfer of undertaking) Act, 1970, represented through Branch Manager, Main Branch, Jai Stambh Chowk, Raipur Tah. and Distt. Raipur (C.G.)

2. Union of India,
Through Secretary Ministry of Law Justice and Company Affairs
Mantralaya, Lok Nayak Bhawan,
New Delhi

3. Secretary Ministry on Finance,
Union of India,
New Delhi

P. R. No. 3427/03
Presented by Shri G.K. Ghosh Singh
dated 06/11/03

Receive copy
Sd/-
Sr. Advocate Central Govt.
6/11/03

Kiran

(4) (2)

(2)

WRIT PETITION UNDER ARTICLE 226/227 OF CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN NATURE OF MANDAMUS, CETIORARI, OR/AND ANY OTHER WRIT OF LIKE NATURE

XII-H.C-22

उच्च न्यायालय छत्तीसगढ़, बिलासपुर

(P)

आदेश पत्रक

मामला क्रमांक W.P. 3676 सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

DIVISION BENCH:

HON'BLE SHRI A.S.VENKATACHALA MOORTHY, CJ
& HON'BLE SHRI FAKHRUDDIN, J.

29/06/2004: -

Shri Raghavendra Pradhan, counsel for the petitioner.

Shri Shailendra Shukla, counsel for the respondent No.1.

Shri Vinay Harit, Sr. Standing Counsel for the Union of India, for respondents No.2 and 3.

Following the decision of the Supreme Court in the matter of **Mardia Chemical Ltd. Vs. Union of India (2004 AIR SCW 2541)**, the writ petition stands dismissed.

However, it is made clear that where a secured creditor has taken action under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 in such cases it would be open to borrowers to file appeals under Section 17 of the Act within the limitation as prescribed therefor, to be counted with effect from today.

Sd/-
Chief Justice

Sd/-
Fakhruddin
Judge

[पीछे देखिये